

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 12 2003

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS Ex parte JOHNATHAN FINE and MARK LINDHOLM
AND INTERFERENCES

Appeal No. 2003-1498
Application No. 09/762,000¹

ORDER FOR COMPLIANCE WITH 37 CFR § 1.192(c)(1)
AND 37 CFR § 1.192(c)(2)

The Appeal Brief filed November 12, 2002 (Paper No. 17) does not comply with all the requirements of 37 CFR 1.192(c) for the reason(s) checked below.

- A. ☒ The Appeal Brief lacks, under an appropriate heading, a statement identifying the real party in interest, or a statement that the party identified in the caption of the brief is the real party in interest, pursuant to 37 CFR § 1.192(c)(1).²
- B. ☒ The Appeal Brief lacks, under an appropriate heading, a statement identifying by number and filing date all other appeals or

¹ Application for patent filed January 17, 2001.

² 37 CFR § 1.192(c) was amended effective April 21, 1995. 60 Fed. Reg. 14518 (March 17, 1995), 1173 Off. Gaz. 62 (April 11, 1995).

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interferences known to appellant, the appellant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal, or indicating that there are no such appeals or interferences, pursuant to 37 CFR § 1.192(c)(2).³


Appellants are given a time period of ONE MONTH from the date of this order or any time remaining in the period under 37 CFR § 1.192(a) for filing a supplement to the Appeal Brief in triplicate. Under these circumstances, an entire new brief is not required. If a supplement to the brief that fully complies with the requirements under 37 CFR § 1.192(c) checked above is not timely submitted, the appeal will be dismissed. No extension of this one month time period may be obtained under 37 CFR § 1.136(a), but the original two-month period under 37 CFR § 1.192(a) for filing the brief may be extended under 37 CFR § 1.136(a) up to six months from the date of the Notice of Appeal.

To expedite matching of the supplemental brief with the application file, the supplemental brief should be filed by fax with the Board of Patent Appeals and Interferences at 703-308-7952.

By order of

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


KIMBERLY JORDAN
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³ Ibid.

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